

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LUIS REYES-CASTILLO,

Defendant.

Case No. 2:18-mj-00361-VCF

ORDER

MOTION TO DISMISS [ECF No. 36]

Before the Court is the Government's Motion to Dismiss the criminal complaint against Defendant Luis Reyes-Castillo without prejudice. (ECF No. 36). For the reasons stated below, the Government's motion is granted.

The Government filed its motion to dismiss on May 11, 2018. (ECF No. 36). Reyes-Castillo has been indicted in the Eastern District of California for unrelated crimes, and the Government moves to dismiss the instant criminal complaint so he can be transferred to California. (*Id.* at 2). On May 14, 2018, Reyes-Castillo filed a notice of non-opposition to the motion. (ECF No. 38).

"The government may, with leave of court, dismiss an indictment, information, or complaint." Fed. R. Crim. P. 48(a). "The failure of an opposing party to include points and authorities in response to any motion constitutes a consent to granting the motion." LCR 47-3.

Based on the reason outlined in the Government's motion, the Court will grant leave to dismiss the complaint against Reyes-Castillo without prejudice. Reyes-Castillo's notice of non-opposition constitutes consent for the granting of the Government's motion.

Accordingly, and for good cause shown,

1 IT IS ORDERED that the Government's Motion to Dismiss the criminal complaint against
2 Defendant Luis Reyes-Castillo without prejudice (ECF No. 36) is GRANTED.

3 DATED this 14th day of May, 2018.

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5 CAM FERENBACH
6 UNITED STATES MAGISTRATE JUDGE
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